

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT

-----X
UNITED STATES OF AMERICA, :

Plaintiff, :

-and- :

CONNECTICUT FUND FOR THE ENVIRONMENT, :
INC.; SOUTHWINGTON CITIZENS ACTION :
GROUP; EDWARD AVERY; JOAN BRADLEY; :
EDWINA LUDECKE; GLADYS LANGTON, :

Intervening Plaintiffs, :

Civil Action

-and- :

No. H 79-704

BOARD OF WATER COMMISSIONERS FOR THE :
TOWN OF SOUTHWINGTON, :

Intervening Plaintiff, :

-versus- :

SOLVENTS RECOVERY SERVICE OF NEW :
ENGLAND, :

Defendant. :

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Deposition of ULISSE F. MARINI, taken
pursuant to the Federal Rules of Civil Pro-
cedure, at the law offices of the United
States Attorney, 270 Orange Street, New Haven,

Connecticut, before Roy F. Brown, a Registered Professional Reporter and Notary Public within and for the State of Connecticut, on Tuesday, May 5, 1981, commencing at two-fifty o'clock in the afternoon.

oOo

A p p e a r a n c e s :

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-and-

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BY: MICHAEL L. RODBURG, ESQ.

-and-

MARION PERCELL, ESQ.,

of Counsel

Also Present:

DAVID HARRIS

oOo

MR. PARISE: The same stipulations as this morning, in the deposition of Mr. Maguder, for this deposition? Is that agreeable to you?

MR. RODBURG: Sorry?

MR. PARISE: Same stipulation as we recited this morning on the record?

MR. RODBURG: Sure.

MR. PARISE: And the same arrangements as to the signing?

MR. RODBURG: No, we will waive signature.

MR. PARISE: Okay.

U L I S S E F . M A R I N I , called as a witness,
having been first duly sworn by the Notary Public
(Roy F. Brown), was examined and testified as follows:

DIRECT EXAMINATION

BY MR. PARISE:

Q Would you state your name, please.

A Ulisse Marini.

Q Do you have a middle initial?

A F, as in Frank.

Q Would you spell it for the court reporter.

A U-l-i-s-s-e, M-a-r-i-n-i.

Q That is pronounced Ulisse?

A Yes.

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By the way, my middle name is not Frank.

Q How old are you, Mr. Marini?

A 40.

Q Are you employed now?

A Yes, I'm employed.

Q Who are you employed by?

A Solvents Recovery Service.

Q What is your title?

A Manager of manufacturing.

Q How long have you been employed by Solvents
Recovery Service?

A Since October 1976.

Q How long have you been manager of marketing?

A Excuse me, manager what?

Q Marketing.

A No, manager of manufacturing.

Q I am sorry.

How long have you been manager of manufacturing?

A Since about March of '77.

Q What was your previous position?

A Senior process engineer.

Q Where was that?

A At Solvents Recovery Service.

Q Where was that located?

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A In New Jersey, Linden, New Jersey.

Q Where is your present position, as manager of manufacturing, located?

A New Jersey; Linden, New Jersey.

Q Prior to coming to work for Solvents Recovery in 1976, what was your employment?

A I was working with Inland Chemical Company, in Newark, New Jersey.

Q What was your position there?

A Plant manager.

Q How long had you been working there?

A A year and a half.

Q Prior to that?

A Vulcan Materials.

Q Where is that?

A In Newark, New Jersey.

Q What is that business?

A It's chemicals, in the chemical business, caustic sodas.

Q What was your position there?

A I had several. My last position there was production manager.

Q Prior to that?

A Plant superintendent. Oh, prior position?

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2 Q Prior position there.

3 A Plant -- department superintendent.

4 Q Going down the ladder, any more?

5 A Then supervisor, process engineer. That's
6 what I started at.

7 Q What year did you start with Vulcan?

8 A Oh, boy. 1969.

9 Q Prior to 1969, where did you work? What were
10 you doing then?

11 A I worked for Hercules, Incorporated. I first
12 started with them in Kendall, New Jersey; then they
13 transferred me to Bessemer, Alabama.

14 Q When did you start with them?

15 A June of 1962.

16 Q What was your position with them?

17 A Quality control engineer; then I went to super-
18 visor; then assistant department supervisor.

19 Q Prior to that?

20 A College.

21 Q Where did you go to college?

22 A [REDACTED]

23 Q Do you have a degree?

24 A Chemical Engineering.

25 Q Was that a Master's or --

1
2 A No, Bachelor's.

3 Q Do you have any further education?

4 A No, sir.

5 Q Any other courses, outside of that education?

6 A No, sir.

7 Q Where are you from originally?

8 A I was born in Mount Vernon, New York.

9 Q What is your present address?

10 A [REDACTED]

11 Q Who hired you to work for Solvents Recovery in
12 1976?

13 A John O'Connell.

14 Q What is his position?

15 A At that time he was general manager.

16 Q What is his position now?

17 A No longer employed by the company.

18 Q What was your title again? Would you repeat
19 that? When you first came to work there.

20 A Senior process engineer.

21 Q What were your duties as senior process engi-
22 neer?

23 A More of a troubleshooter. Try to debottleneck
24 some process areas, see where we can make improvements in
25 both plants.

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2 Q Who did you report to?

3 A John O'Connell.

4 Q Anyone else?

5 A No, sir.

6 Q Did you have any other duties than the ones you
7 listed?

8 A That were the duties, general duties. That
9 was my function at that time, my job responsibility at that
10 time.

11 Q Did you do anything else, outside of those duties,
12 that was within your job?

13 A No, sir.

14 Q In your present position that you have been in --
15 since what date again?

16 A March of '77.

17 Q -- was that a promotion from your previous job?

18 A Yes, sir.

19 Q Who do you report to in your present job?

20 A Jim Hulm.

21 Q Who is he?

22 A He's a vice-president.

23 Q Where?

24 A He's located at New Jersey, Linden, New Jersey.

25 Q Do you report to anyone else?

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A No, sir.

Q Who reports to you?

A The plant superintendents of both plants and the lab supervisor.

Q Who is the lab supervisor?

A The name?

Q Yes.

A John Gotley.

Q Who was the plant supervisors?

A John Purvis and Ron Fisher.

Q Is Mr. Fisher with the New Jersey plant?

A Yes, sir.

Q Do you report at all to Carleton Boll?

A No.

Q Who reports to Mr. Boll?

A Jim Hulm.

Q Prior to your reporting to Mr. Hulm -- is it pronounced Hulm?

A Yes.

Q -- did you report to anyone else, in your present position?

A Yes, for a short period to Mr. Boll.

Q What was that period of time?

A Maybe six months.

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2 Q Can you give me the approximate dates or the
3 exact dates?

4 A I can't. All I can tell you, oh, in December
5 of '77 I started reporting to Jim Hulm. Boy. It's when
6 John O'Connell left. I don't know the dates now.

7 Q So approximately December of 1977?

8 A That's when I started reporting to Jim Hulm.

9 Q Did you report to anyone else, besides Mr.
10 Hulm and, for that short period, Mr. Boll, during your
11 tenure?

12 A No, just Mr. Boll.

13 Q Prior to Mr. Purvis, who reported to you from the
14 Southington plant?

15 A Al Tatro.

16 Q What was his position?

17 A Plant manager.

18 Q Anyone else report to you from the Southington
19 plant?

20 A No, sir.

21 Q Anyone else from the New Jersey plant, other
22 than Mr. Fisher?

23 A Mr. Gotley, like I've stated there.

24 Q What is the lab? Where is it located?

25 A New Jersey, Linden, New Jersey.

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Q Is it at the same facility as --

A Yes.

Q -- as the plant?

A Yes, sir.

Q What is the lab's function?

A Perform tests, different tests, quality checks, like quality control department, quality assurance; performs tests on incoming and outgoing material.

Q For both plants?

A Yes, at times, yes.

Q How long has the lab been in existence?

A I can't answer that question. As long as I have been with the company, it's been in existence. Prior to that, I have no recall.

Q Was there a supervisor of the lab before Mr. Gotley?

A Yes.

Q Who was that?

A Carl Binder.

Q Anyone before that?

A I do not know. I know Carl was there when I got there.

Q What are your present duties?

A In charge of both plants when it comes to

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2 production, and manager of the production for the company.

3 Q Who was the person with your title and the same
4 function prior to you? Who had that title with Solvents
5 Recovery before you?

6 A I think John O'Connell. I can't answer that.
7 When I came, there was no one in that position.
8 I just reported to John O'Connell.

9 Q When you came in 1976?

10 A There was no one in that position. John was --
11 the plants were reporting to John O'Connell at that time.

12 Q How did it come about that this position was
13 created or that you got this position?

14 A It was a promotion, and it was right under my --
15 in my expertise, and at that time they were looking for
16 someone to fill that position; but for three months I wanted
17 to get to know the different plants, the procedures, and so
18 on. I wasn't given that job initially.

19 Q Did you discuss with anyone at that time what
20 the duties of that position were when you were promoted to
21 that position?

22 A John O'Connell and myself had discussions, yes.

23 Q Who hired you, or who promoted you?

24 A John O'Connell.

25 Q Anyone else?

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2 A No; as far as I know, it was John O'Connell.

3 Q You mentioned your expertise. What do you mean
4 by that?

5 A Ever since I got out of college I have been in
6 production, manufacturing.

7 Q Anything else, other than production manu-
8 facturing?

9 A A little quality control.

10 Q Can you explain to me what it means to have
11 expertise in production?

12 A My experience is in production, such that to
13 operate and make plants efficiently, safely, meeting the
14 design rates, meeting qualities, handling the people who run
15 the different units, handle union problems if there's a
16 union plant, set the procedures to operate the plant, design
17 the processes to recover the material, and so on.

18 Q Any other duties or tasks within that?

19 A Well, they are general tasks. Each task has
20 little sidelights, but generally.

21 Q Would it be fair to say that that description
22 describes what your job is?

23 A Yes.

24 Q That is for both plants?

25 A Yes.

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Q Southington and New Jersey?

A Yes, sir.

Q In your position of 1976 -- I'm sorry, could you repeat that again? I did not write it down.

A Senior process engineer.

Q -- did you have any supervisory role in that position?

A Not at that time, no.

Q Did that position gain supervisory duties?

A Eventually, when I was promoted to manager of manufacturing.

Q So, basically, you are saying it is the same position?

A No. Senior processing engineer had no supervising responsibilities; no one reported to me at that time. I was more of a troubleshooter.

Q Then, when you were promoted to manager --

A Manager of manufacturing.

Q -- manager of manufacturing, you did have?

A Yes.

Q Is the senior processing engineer an existing position?

A No, right now we do not have that position.

Q It has been vacant since you left that

position?

A I would say yes, it has.

Q Who is the president of Solvents Recovery?

A Carl Boll.

Q And vice-president?

A Jim Hulm.

Q Where do they reside?

A In New Jersey.

Q Do you know who is the secretary? Is there a
secretary?

A No.

Q Is there a treasurer?

A Yes.

Q Who is that?

A Charlie Spatulo.

Q Was there another treasurer prior to Mr.
Spatulo?

A No, not officially, no.

Q Who is Margaret B. Woods?

A She is the -- I don't know her present title,
but she's been there about thirty years. She's the office
manager.

Q Is she related to any of the persons we just
talked about?

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A To my knowledge, no.

Q You do not know if she is Carleton Boll's sister or some relation; do you?

A As far as I know, no, she's not related.

Q Are there any other officers of the corporation than the ones we have just talked about?

A Just the ones I mentioned to you.

Q So you report directly to Mr. Hulm?

A Yes, sir.

Q Does anyone else report directly to Mr. Hulm?

A Yes.

Q Who is that, or who are they?

A Myron Smith. He's the marketing manager.

Q Where is he located?

A New Jersey.

Q Anyone else?

A Joe Rossi. He's the plant engineer.

Q Where is that?

A New Jersey.

Q Anyone else, besides Smith and Rossi and you?

A No.

Q So it is just the three of you that report to the vice-president?

A Yes, sir.

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2 Q No one else.

3 Is Hulm's title vice-president?

4 A It's vice-president or executive vice-president.

5 I can't answer that.

6 Q Are there any other vice-presidents?

7 A No, as far as I know, there's not.

8 Q Is he vice-president for any particular function?

9 A No.

10 Q Just --

11 A Vice-president, period, no vice-president of
12 some other --

13 Q Prior to this position as manager of production
14 or production manager --

15 A The same.

16 Q Do you have a term that you call yourself for
17 short?

18 A Back and forth, production manager, manager of
19 manufacturing. "Production manager" is easier for you to
20 say, so why don't we leave it that way. It doesn't bother
21 me.

22 Q No, whatever your term is.

23 A The same responsibilities.

24 Q The person who had that equivalent position --
25 is it fair to say it was Mr. O'Connell?

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2 A Yes, sir.

3 Q What is his name?

4 A John O'Connell.

5 Q Do you know where he resides now?

6 A He's out of the state. I have no idea.

7 Q How long had he been employed by Solvents
8 Recovery?

9 A I have no idea.

10 Q Was he there when you --

11 A Yes, he hired me.

12 Q In 1976, in the period that you were senior
13 process engineer --

14 A Yes, sir.

15 Q -- did you have any contact at all with the
16 Southington plant?

17 A Yes.

18 Q Would you describe the nature of that contact?

19 A I went up there. First of all, I had to learn
20 the business in the plants. I went up there just to learn
21 the operation, see if I could see where we can make some
22 improvements, design changes, where we can improve the
23 appearance of the plant, and so on, see any areas needed of
24 repair, that was a safety hazard. Things like that.

25 Just a general -- my first tour was just a

general inspection of the plant.

Q Did you perform those same duties for the New Jersey plant?

A Yes, sir.

Q What was your first contact with the Southington plant?

A When was it?

Q When was it?

A Oh, man. I started in October. I'd say November. I don't know an exact date.

Q It was soon thereafter?

A Yes.

Q As soon as you started?

A Yes.

Q At that time, the plant manager was Al Tatro; is that correct?

A Yes, sir.

Q I am going to start with the documents, and we will take a big one first. I will give you a copy of it. It is a document, and the top heading is called "Gallon Distilled - Southington, Connecticut." Then on the right side it says "Total Distilled Gallons, Number of Shifts, Average Gallons Per Shift." Then there is a list of cc's, I imagine, with initials. The first page is 1980, and the

1
2 last page is dated -- it is called "Record Week February 11,
3 1968."

4 Will you take a look at this.

5 MR. PARISE: Will you mark that as No. 1.

6 (Copy of document headed "Gallon Distilled-
7 Southington, Connecticut," consisting of 33 pages,
8 was marked Plaintiffs' Deposition Exhibit 1 for
9 identification, as of this date.)

10 BY MR. PARISE:

11 Q Mr. Marini, do you recognize this?

12 A Yes, I do.

13 Q Could you tell me what it is.

14 A It's our production records of how we performed
15 each week, the total gallons recovered, the number of shifts
16 we operated, and the gallons per shift that we recovered.

17 Q Can you just, taking the first page, explain to
18 me that, under, for example, "Week Ending" -- maybe some of
19 this is cut off, but it says October 4th --

20 A Right.

21 Q -- and underneath there is a column, "#1 Still"?

22 A Yes.

23 Q What is that series of numbers, for example,
24 under the heading, on the line October 4th?

25 A Seven -- first of all, No. 1 still is the number

1 we gave that still. We have No. 1 still; 735 is the
2 gallons recovered, 3.5 is the number of shifts we operated
3 that the still was operating, and the 210 was the gallons
4 per shift.
5

6 Q Gallons of --

7 A Material per shift.

8 Q Processed?

9 A Product.

10 Q Product?

11 A Product.

12 Q What is the distinction, then?

13 A It's clean material, salable material, returned
14 to the customer, finished material.

15 Q Is the same true under columns No. 4, 5 and 6?

16 A Yes, sir.

17 Q That refers to stills 4, 5 and 6?

18 A Yes, sir.

19 Q Then "Total Gallons." That is a number for
20 October 4th?

21 A That is the total of recovered gallons during
22 that week. In other words, you added up the 735, 18,225
23 and 4,115.

24 Q Then the next one is gallons per shift?

25 A The total gallons recovered per shift, yes.

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Q Who prepared this?

A The New Jersey office.

Q Who at the New Jersey office?

A Several girls. It's changed hand. It's one of the girls in the office, one of the secretaries.

Q Does anyone supervise that?

A Nobody watches her putting this report together. It's issued to everyone. If there's any mistakes, someone will make a comment.

Q What do the girls -- you are referring to the secretaries?

A Yes.

Q What do they put it together from?

A The information is submitted to them from the Connecticut plant.

Q In what form?

A A phone call.

Q Any other form?

A No.

Oh, yes, they follow it up with the printout on the calculator, where they got the gallons from.

Q Explain that again. I did not get it.

A She gets all the job sheets from the particular still, adds up the number of gallons that were recovered,

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2 and submits that to the main office, the home office, and
3 she also records the number of shifts we operated.

4 Q Have you seen this entire document that I am
5 showing you?

6 A Before I came to this meeting?

7 Q Yes.

8 A No.

9 Q You do recognize it?

10 A Oh, I recognize it. There's no question that
11 sometime during the course I have seen every single sheet.

12 Q You have?

13 A Yes. I'm -- I'm on the distribution.

14 Q Even though older ones, that are prior to your
15 coming to Solvents Recovery --

16 A No, only from '76 on.

17 Q But have you ever reviewed the older ones for
18 any reason?

19 A No, sir.

20 Q What is the purpose of compiling this?

21 A This is a judge of our performance, the plant's
22 performance, during the particular week, see if we're
23 meeting what we feel should be our design or budgeted rates.

24 Q I am not sure I understand what you just said.

25 A You have to -- somehow, you have to judge the

performance on a particular still. You have some guidelines, and you keep records weekly to ensure that you are meeting those guidelines. If you're not, we want to know why, why was the shift down -- why were they down for x amount of shifts per week.

Q To find out why, who asks the question?

A When I was given the promotion, I asked the questions.

Q Your initials, UFM, are copied on these?

A Yes.

Q If you go back to -- we might not have all of them here, but we have your name first appearing in 2/11 -- your name appears on most of them, even though it goes back to 1969, with your initials on it, on the top. Can you explain why your initials would be on there?

A Would you please show me which one you're talking about?

Q Yes. There is a sheet in there, the upper right-hand corner dated February 11th, 2/11/68, record week --

A The purpose of that is at that time a record production was set at that week. That's not the date of the report.

Q Record week, okay.

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2 A At that particular week, in '68, a record was
3 set. Now, I don't know what it was, but it was set. My
4 initials --

5 Q That is just to identify the document --

6 A Something to shoot for, a goal.

7 Q This document deals with the fourth quarter,
8 1976.

9 A Yes.

10 Q There is a JPOC. Who is that?

11 A John O'Connell.

12 Q And MMS?

13 A I think Marc Sinefield.

14 Q ET? I am sorry, AT.

15 A Al Tatro.

16 Q ET?

17 A I think Eldon Thibodeau.

18 Q And CJB?

19 A Jim Bown. I don't know what the C stands for.
20 I think it's Crawford, but I'm not sure. We call him Jim,
21 Jim Bown.

22 Q And UM?

23 A Myself.

24 Q Who is MMS, then, Mr. Sinefield?

25 A He used to be the technical director at the

1
2 plant.

3 Q At which plant?

4 A I'm sorry, technical director for the company.
5 He was located in New Jersey.

6 Q What is the technical director's job, or what
7 was the job?

8 A Was. The lab reported to him. In a way, he
9 did the troubleshooting, did our process work for us. His
10 title was technical director, but he did a lot of the
11 process work.

12 Q Is he still there?

13 A No, sir.

14 Q When did he leave?

15 A I think January or February of '77.

16 Q Has his position been filled since then?

17 A It was, but no longer.

18 Q By whom?

19 A Ted Chu.

20 Q That position of technical director -- did that
21 position report to Mr. Hulm as well?

22 A Yes. Ted Chu did.

23 Q So that's in addition to the ones you mentioned
24 earlier?

25 A Yes, but we don't have that position filled

1
2 right now.

3 Q Is there any other position that is not filled
4 right now that would be in the same --

5 A As far as I know, to my knowledge, no.

6 Q MHS is Myron Smith?

7 A Myron Smith.

8 Q Who is he?

9 A Marketing manager.

10 Q For the entire facility?

11 A Yes.

12 Q The entire company?

13 A The entire company.

14 Q Where is he located?

15 A New Jersey, Linden, New Jersey.

16 Q How long has he been employed by the company?

17 A I'd say seven years. I'm not sure. At least
18 seven years.

19 Q Was he there when you started?

20 A Oh, yes, sir. Yes, sir.

21 Q He is still there?

22 A Yes, sir.

23 Q Al Tatro?

24 A Yes, sir.

25 Q We talked about him.

Eldon --

A Thibodeau.

Q -- Thibodeau, ET?

A He's a salesman for the New England area.

Q Where is he located?

A He works out of his home. I don't even know where he lives, to be honest with you. I think in Connecticut.

Q He does not work out of New Jersey or Southington plants?

A No.

Q How long has he been working for the company?

A I'd say five years, something like that.

Q Was he there when you started?

A Yes.

Q And CJB, Mr. Bown?

A He was the marketing manager.

Q Was the marketing manager?

A Yes.

Q When did he leave?

A I think in '79. I really don't -- I don't know the date. Sometime in '79.

Q Was he there when you started?

A Yes, he was.

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2 Q Do you know how long he was there prior to that?
3 A I'd say about six months prior.
4 Q Is that position filled now with someone?
5 A Yes.
6 Q Who is that?
7 A Myron Smith.
8 Q Did I already ask -- who does the marketing
9 manager report to?
10 A Reports to Jim Hulm.
11 Q So does he report to anyone else?
12 A No.
13 Q Does he report to you?
14 A Marketing manager?
15 Q Yes.
16 A No.
17 Q So I was just trying to understand how it is
18 set up. So that your vice-president has a number of people
19 that report to him?
20 A Yes.
21 Q It includes the marketing manager and it includes
22 the production manager of --
23 A Why don't you make it "production manager."
24 Q -- your job?
25 A Yes.

1
2 Q Is there anyone else, that we have not mentioned,
3 who reports to the vice-president?

4 A I think I told you Joe Rossi, plant engineer.
5 I think I --

6 Q Plant engineers report to the vice-president?

7 A Yes.

8 Q It would be the plant manager report to the
9 vice-president?

10 A The plant -- we have plant superintendents who
11 report to me.

12 Q Those are the only people that report to you?
13 All these others are --

14 A I told you the lab supervisor reports to me.

15 Q All these others are in an equivalent level as
16 you, as to the vice-president?

17 A Yes. We all report to the vice-president.

18 Q None of you report to each other?

19 A No.

20 Q On the very back copy --

21 A The last copy?

22 Q -- the last page of this, can you tell from
23 that last page what period of time -- 1973, first quarter,
24 January through March; is that correct? -- that this sheet
25 is dealing with?

1
2 A Looking at this sheet, I would say that's the
3 case.

4 Q Who is CHB?

5 A Carl Boll.

6 Q He is the president?

7 A Yes.

8 Q Who is RPL?

9 A I have no idea.

10 Q Is that Robert Lanyon? Is that name familiar
11 with you?

12 A It rings a bell, yes.

13 Q Who is Robert Lanyon?

14 A As far as I know, he worked in New Jersey plant.
15 I have no idea what his responsibilities were or anything.
16 He was not here when I started.

17 Q When was he employed; do you have any knowledge?

18 A I have no idea.

19 Q Was he there when you began?

20 A No, he was not.

21 Q On the very first page there's the initials JTP?

22 A That's John Purvis.

23 Q Who is CAS?

24 A Charlie Spatulo.

25 Q I will just ask you a few more questions on this

one.

Why is there nothing on No. 4 still in all these -- well, now there does appear, as you leaf through it. Can you explain that?

A The still is not occupied. It's a column -- we don't have that much material to process in there.

Q Later on, it has underneath it listed "Down"?

A Yes, down the whole week.

Q Not operating?

A Not operating.

Q Any reason?

A No material to process.

Q Any other reason? Could there be any other reason?

A Well, you know, maintenance. But at that time there was no material.

Q Could it also be repairs?

A Could possibly, yes.

Q Maintenance?

A Could be.

Q Any replacement?

A No.

Q Let me show you another document.

MR. PARISE: We will have it marked. We

will call this document 2.

Q This is the drawing of the site, Solvents Recovery site, in Southington, Connecticut, the same document as was used in the deposition of Mr. Maguder.

(Copy of diagram of Southington plant was marked Plaintiffs' Deposition Exhibit 2 for identification, as of this date.)

BY MR. PARISE:

Q Do you recognize that?

A Yes, I do.

Q Would you tell me what it is.

A The plant site plan for the Connecticut plant.

Q Do you know who drew this?

A We had a person in Southington, I think, did this.

Q Do you know the name of the person?

A No.

Q Or when that occurred?

A I do not know.

Q Or why it occurred?

A I think, if I remember, the State of Connecticut required that we have something like this, for permits and so on.

Q How long ago, in your estimation? Any estimate?

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A Oh, I'd say two or three years ago.

Q Looking it over, would you tell me if it is an accurate depiction of the plant presently, the present description?

A Yes, it is.

Q Is it an accurate description of the plant when you saw it on your first visit there in 1976?

A No.

Q What is different now than there was -- what is the difference now between --

A The biggest difference, when you drive in the plant, where it says "Crushed Stone Area," it was not any stone; it was dirt. There was drums stored.

Q Could you mark that with a red pen? Just mark it A, the letter "A."

A (Marks document)

Q That was dirt in 1976?

A Yes.

Q When did it become crushed stone?

A Oh, boy. I'd just be guessing. I'd say a couple of years after that. I'm not sure of the exact time.

Q Were you involved in the decision to --

A Yes.

1
2 Q What was the decision?

3 A The decision was to reduce the drum inventory and
4 clean this whole area up. We did not store any drums here;
5 just put the crushed stone, make it a parking lot.

6 Q Could you indicate with the letter "B" the
7 entrance to the facility?

8 A (Marks document)

9 Q What do you mean by cleaned up?

10 A Oh, move the drums.

11 Q How many drums were there?

12 A In this particular area?

13 Q Yes.

14 A I have no idea.

15 Q Can you give me an estimate, to the best of your
16 ability?

17 A I'd say two or three thousand, maybe -- say two
18 thousand.

19 Q How big an area is that -- not square feet, but
20 by yards or feet long, width by length -- that the drums
21 were stored on?

22 A Well, first of all, the drums were not stored
23 in the middle of the area. They were stored along the
24 sides here.

25 Q What else was there, besides drums, that needed

1
2 to be cleaned up?

3 A Drums.

4 Q Just drums?

5 A Drums.

6 Q What did you do with them?

7 A We processed them.

8 Q What do you mean, you processed the drums?

9 A We pumped them out, put them in the still, sent
10 the product back to the customer; and any disposal drums --
11 we blended them and sent them out.

12 Q Were they full drums, then?

13 A Yes.

14 Q Was there any material there that was not
15 processed?

16 A Well, that's an ambiguous statement. We process
17 everything. What do you mean by "not processed"?

18 Q Was not put into the still, the processing area.

19 A Yes.

20 Q What was done with that?

21 A That was pumped into our fuel program and sent
22 out to a cement kiln as residual fuel.

23 Q Was there anything else done with the materials
24 there, other than what you have mentioned, being processed
25 or sent out to the cement kiln fuel program?

1

2

A Solid drums were taken out.

3

Q What was done with them?

4

A They were given to Ace.

5

Q What do you mean by a solid drum?

6

A A drum, nonpumpable drum.

7

Q How would you know it was nonpumpable?

8

A Too heavy to pump. The pump wouldn't suck it

9

out.

10

Q Would you attempt to?

11

A Every attempt would be made to.

12

Q Anything else done with any materials there,

13

other than Ace, going to Ace, or to the fuel program or

14

to the processing and recovery?

15

A The policy was that no other way would the

16

drums be disposed of but those three areas that I just

17

mentioned.

18

Q Anyone else, other than Ace, remove those

19

drums? Did you have anyone else, other than Ace, remove

20

those drums?

21

A To my knowledge, no.

22

Q After you had --

23

A I'm sorry, we did take some drums to Ottati.

24

Q Can you give me the time frame again on this

25

cleaning up of the crushed stone area?

1
2 A I just want to make one thing clear: This is a
3 guess on the time. I don't remember the time, but I would
4 say a couple or three years.

5 Q How long had these drums been there?

6 A Let's put it this way: They were there on my
7 first visit up there. How long they were there?

8 Q Yes.

9 A I have no idea at all.

10 Q Do you know if this area had been used by
11 Solvents as a drum storage area prior to your coming on to
12 this visit?

13 A All I can tell you, the drums were there when I
14 first drove in the plant my first visit.

15 Q And they continued to be in that location until
16 this cleanup process ended?

17 A Yes.

18 Q When did the cleanup process end?

19 A When did it end?

20 Q Yes. When was this area -- or is it still on-
21 going?

22 A No, no, the area has been totally cleaned. I
23 mean, just crushed stone; no drums are stored there at all.

24 Q When did that end, the time period?

25 A Like I said before, I'd say a couple of years

1
2 from either late '78, early '79. I'm not sure.

3 Q Did anyone direct you to clean up that area?

4 A Oh, it was a company decision to clean up the
5 area, improve our housekeeping. It was a policy or goal
6 that we had set, to improve our housekeeping.

7 Q When you say "we," are you --

8 A It was a collective-type decision.

9 Q Who was involved in the collection?

10 A John O'Connell. I reported to him. I would
11 have to assume Mr. Boll was involved, too.

12 Q Mr. Hulm? Was Mr. Hulm, the vice-president,
13 involved?

14 A No, at that time Mr. Hulm was not employed by
15 the company, when I first started with the company.

16 Q Who was the vice-president?

17 A John O'Connell.

18 Q Anyone else involved in that decision?

19 A The plant manager at the site.

20 Q That was who?

21 A Al Tatro.

22 Q Anyone else?

23 A That's it.

24 Q Was there a meeting or any meetings where this
25 was discussed?

1
2 A We have several meetings, you know. We have
3 staff meetings.

4 Q But for this cleanup, speaking to this cleanup
5 project of this area.

6 A No, just informal type meetings. John and I
7 spoke together, Al and I spoke together. Nothing formal.

8 Q Your first visit to the plant was in approxi-
9 mately November of 1976?

10 A Yes.

11 Q How soon after did this process of cleaning up
12 this area commence?

13 A Oh, I don't remember exactly. I assume we
14 started sometime in '77. I don't know. Maybe the first
15 part of '78. I don't remember.

16 Q Is it fair to say that there were meetings and
17 discussions prior to that, to cleaning it up?

18 A Of course; yes, sir.

19 Q The subject was cleaning it up, and that --

20 A No, the subject was to improve our housekeeping,
21 and that was our goal, and that was part of the whole clean-
22 up operation.

23 Q The people that you have mentioned were involved
24 in that decision?

25 A Yes.

1
2 Q What other differences are there between the
3 first visit you took in 1976 and at present?

4 A Where somebody had "#2" there, drums were
5 stored in that area.

6 Q Could you mark that C?

7 A (Marks document)

8 Q What is the difference between 1976 and now?
9 Drums were stored there?

10 A Yes, full drums were stored there.

11 Q How much of an area was covered by those drums?

12 A The whole area.

13 Q The entire area as it is drawn?

14 A Yes.

15 Q How many drums would you estimate were there?

16 A Oh, I don't know. I'd say a thousand, two
17 thousand -- maybe a thousand. I really don't. It's a
18 guess, pulled right out of the air.

19 Q Was that process of cleaning up that area done
20 in conjunction with the previous area we have been dis-
21 cussing?

22 A Totally, yes. It was one plan, a goal to
23 improve the housekeeping, remove the drums from the dirt
24 areas, get the drums all on the concrete areas, worked
25 hand in hand with Ed Parker from the state.

1
2 Q Was anything done with that area of drums?
3 Was anything differently done with those, as far as dis-
4 posal?

5 A No, the same.

6 Q Or processing?

7 A The same.

8 Q No other persons, outside contractors or anyone,
9 were involved?

10 A No.

11 Q Any other areas that you cleaned up by removing
12 drums?

13 A Way at the end.

14 Q Mark it with D, I guess.

15 A (Marks document)

16 Q Would you show me where that is, please.

17 What was stored there?

18 A Drums.

19 Q How many drums?

20 A Full drums, that -- several of them. I don't
21 know the exact number.

22 Q How many? You say "several"?

23 A Several. I'd say a thousand.

24 Q Not several thousand, just a thousand?

25 A Several thousand throughout the whole plant.

1
2 Q Can you give me an indication, either drawing
3 or verbally, how large that area was?

4 A Like here, and it goes back, I'd say, about --

5 Q Off this drawing?

6 A I'd say -- yes, yes, for sure off the drawing.
7 How far back? 20 feet maybe, a guess.

8 Q Were those drums full?

9 A Yes.

10 Q Were the drums in area --

11 A Yes.

12 Q -- C full?

13 A Yes.

14 Q Nothing was done differently with those drums,
15 as far as their processing --

16 A No.

17 Q -- and ultimate disposal --

18 A To my knowledge, no.

19 Q -- than the other areas? Okay.

20 What was underneath the drums in area B and
21 area C and area D?

22 A Dirt.

23 Q Bare ground?

24 A In this area here, there were some cinders in
25 this area here, and there might have been some in here, too.

1
2 Im not sure.

3 Q Could you indicate?

4 You are referring to area C?

5 A C, something like this. I don't know exactly
6 how far. I have no idea.

7 Q And some cinders in the area of --

8 A Possibly. I'm not sure.

9 Q Did you mark that D?

10 A D, right here.

11 Q Where were the cinders from?

12 A From the incinerator operation, which was down
13 before I even started with the company.

14 Q What was done to the bare ground in these three
15 areas?

16 A Graded, and gravel put in.

17 Q Do you know when that took place?

18 A '78 or '79, I'm not sure.

19 Q Where was the gravel from that was put on it?

20 A We went out and purchased it from a construc-
21 tion place.

22 Q Was gravel put in the area marked D?

23 A Yes, sir.

24 Q Was any soil scraped up from those areas?

25 A I don't think so. I wasn't there when the

1
2 actual operation took place, but I don't think so.

3 Q To the best of you knowledge, no dirt was
4 removed?

5 A To the best of my knowledge, none was removed.

6 Q What happened to the cinders that were in area
7 C and area D?

8 A They stayed there.

9 Q Were they covered over with dirt?

10 A Gravel.

11 Q With the gravel?

12 A Yes.

13 Q What other changes from that very first visit to
14 the present?

15 A This trench right here no longer exists.

16 Q Will you indicate that with letter E.

17 A (Marks document)

18 Q It is called "trough" on this?

19 A Yes, trough.

20 Q What was that trench?

21 A It was a trough lengthwise through the process
22 area, and it was there to collect any spillage or runoff
23 water.

24 Q Could you describe how wide it was, how deep it
25 was?

1
2 A I'd say about 8 inches, possibly, deep, maybe a
3 foot wide, something like that, maybe 14 inches wide.

4 It wasn't big.

5 Q Was it constructed of anything?

6 A No. Concrete.

7 Q Was it concrete walled and lined?

8 A Yes.

9 Q Was it always that way, concrete walled and
10 lined?

11 A Since I started with the company it was.

12 Q To your knowledge, was it not so lined prior to
13 your coming to the company?

14 A I can't answer that question. I have no idea.
15 It was concrete when I started with the company.

16 Q Have you ever heard anything about it being not
17 so lined?

18 A No. No.

19 Q No one ever talked about it?

20 A No.

21 Q You have described that as the process area?

22 A Yes, sir.

23 Q That is now marked E on here?

24 A E is the trough, yes.

25 Q Why was that removed?

1
2 A That was a collection spot, where the State of
3 Connecticut people felt it was -- they would like to see it
4 blocked up and covered up, and we agreed with them and we
5 did it.

6 Q What do you mean by "the State of Connecticut
7 people"?

8 A The DEP people, Ed Parker and his group.

9 Q The Connecticut Department of Environmental
10 Protection?

11 A Environmental Protection, yes.

12 Q When was that accomplished?

13 A I think '79, maybe the first part of '80.

14 Q Any other changes, other than ones we have
15 mentioned so far?

16 A That's it. From the time I started?

17 Q Yes.

18 A We didn't have any stone back here.

19 Q Could you label that with F now?

20 A (Marks document)

21 Q That is the area that you described as a path-
22 way?

23 A It's a roadway up to the tank farm area.

24 Q Is that an incline, Mr. Marini?

25 A Yes.

1
2 Q What was it prior to --

3 A Dirt.

4 Q It was dirt?

5 A Yes.

6 Q What vehicles would use that road?

7 A Fork lifts.

8 Q Any other vehicles?

9 A Possibly fork lifts.

10 If we were going to do some work in the tank
11 farm area, we needed a crane up there or something like
12 that.

13 That's all.

14 Q What would fork lifts go up there for?

15 A Oh, if you clean out a tank and you have drums
16 upthere, you have to take the drums out, or sometimes if we
17 do any construction we haul the piping up there, if we had
18 toinstall piping or whatever.

19 Q Just to go back to the trough, the trench,
20 labeled "E" --

21 A Yes.

22 Q -- would you describe it to me, the contents of
23 that trough?

24 A Oh, mostly water. It's --

25 Q What else, besides water?

1B

20

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1
2 A Possibly could have been some solvent, if a
3 spill did occur.

4 Q What was done with the contents when it was
5 cleaned up?

6 A If it was solvent, it was pumped out. Any
7 solvent was decanted off.

8 Q What do you mean, "decanted off"?

9 A Removed, the solvent removed, and the water
10 phase was taken down to New Jersey for treatment.

11 Q So this was processed? This water or this
12 mix -- the contents of the trough was processed?

13 A It wasn't processed water. It was more like
14 rain water. We did not physically dump water or solvent
15 in that trough, but water, due to rain, used to run off
16 the process area and collect in this trough.

17 Q Do you know what was done with the water that
18 had collected there, in your cleanup of this trough? What
19 was done with the water that was standing in the trough?

20 A It was a very small amount. We'd pump it out,
21 take -- like I said, decant the solvent off, and take the
22 water down to New Jersey and treat it.

23 Q What was done with the trough, itself?

24 A Concrete; filled up.

25 Q Filled it with concrete?

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1
2 A Yes.

3 Q Anything else done to it?

4 A No, sir. Oh, it was, you know -- if there was
5 any water, it was removed. Then they poured concrete.

6 Q Is that area all concrete?

7 A Yes, sir.

8 Q The trough --

9 A Yes, sir.

10 Q -- as well?

11 Drawing with that red pen, could you draw the
12 limits on this drawing of the concrete area?

13 A Right exactly where it is?

14 Q In that process area.

15 A There's concrete over here, too.

16 Q No, just in that process area.

17 A It's all concrete.

18 Q At the present time, it is all concrete?

19 A All concrete.

20 Q Does this drawing tell you where the concrete
21 begins and ends, looking --

22 A In my eyes, it does. I'm not sure you can see
23 it.

24 Q There is a label, "Concrete Pavement," on this
25 drawing. What does that signify?

1
2 A This whole thing is concrete. Concrete.
3 This is concrete here.

4 Q Okay.

5 A There's concrete here.

6 MR. PARISE: The witness is marking hash-
7 marks loosely on the lines --

8 A (Continuing) Would you prefer I color it in?

9 Q No, just describe it.

10 A Concrete. Concrete, the whole process area.

11 Q Referring to the area marked "E"?

12 A All right. These little fingers here, all
13 concrete.

14 Q Could you mark that area "G"?

15 A G? Which areas?

16 Q The fingers on the drawing, what looks like
17 fingers, is now area G.

18 A (Marks document)

19 Q What is that area?

20 A Drum storage area.

21 Q Concrete anywhere else?

22 A Concrete here, as you see it labeled on the
23 drawing.

24 Q Anywhere else?

25 A No.

1
2 Q When you first came there in 1976, was this
3 amount of concrete covering the facility?

4 A Yes, sir. The only addition for concrete was
5 that trough. We covered it up.

6 Q So no more concrete has been poured --

7 A No, sir.

8 Q -- since 1976?

9 A I take that back. There was a concrete founda-
10 tion and pad right here. This was not here in '76.

11 Q Can you mark that? I guess H now.

12 A (Marks document)

13 Q The last change you mentioned, when we were
14 discussing all the changes from that time, in 1976, to the
15 present, was the crushed stone pathway?

16 A Yes.

17 Q Up the incline to the tank farm?

18 A Yes, sir.

19 Q Mark the tank farm "I" now.

20 A (Marks document)

21 Q In the previous document, labeled "1," which is
22 the still, gallons distilled, log, I guess --

23 A Yes, sir.

24 Q -- the ones in the very back, which seem to be
25 the ones dated in the -- 1973 is the earliest -- list still

1
2 No. 1, 2, 3, 4, 5; is that correct?

3 A That's what I read here, yes.

4 Q Then in 1975, if you flip foreard to the sheets
5 dealing with 1975, there's still No. 1, No. 3, No. 4, and
6 No. 5. There is no listing for a still 2.

7 Do you see that?

8 A Yes.

9 Q Going on, in the third quarter, 1976, for
10 example, there is a listing for still 1, 3, 4, 5 and 6?

11 A Okay.

12 Q Then, on the very first page, still 1, still 4,
13 5, and No. 6.

14 Can you describe where the stills are and how they
15 are numbered?

16 A No. 5 is this horizontal one.

17 Q Will you label that with a number --

18 A 5?

19 Q Yes, No. 5.

20 A (Marks document)

21 Q It is the what one again?

22 A No. 5.

23 Q What did you call it, the round one?

24 A No, I say this is the horizontal one.

25 Q What is that used for?

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A To recover solvents.

Q Continue with the others.

A No. 1, No. 6 is in here -- I'm not sure -- this is No. 6, and this is No. 4 (marking document).

Q That is the present stills?

A Yes.

Q That is in the process area?

A Yes.

Q In the past, prior to the present, what other stills were located there?

A I can't answer it. When I started with the company, these exact location, the exact numbering.

Q Is there a difference between still No. 6, No. 5, and No. --

A Capacity.

Q -- No. 4 and No. 1?

Capacity is one difference?

A Yes.

Q Any other differences?

A No. 5 and No. 6 -- No. 5 is the horizontal; No. 6 is a vertical still. Both have scrapers. No. 1 still is -- does not have any scrapers inside. No. 4 still is a column, a vertical column.

Q Is there a difference in construction; also a

1 difference in what is processed in them?

2 A They are interchangeable, most of them.
3
4 Constructionwise, your first question, construction, they
5 are all carbon steel.

6 Q So they all can process the same materials?

7 A Except No. 4 column.

8 Q What does that process?

9 A That is a fractionating column. Right now it's
10 not doing anything, but it takes -- we also use that pre-
11 sently as our stripper column, our water-stripping column.

12 Q Could you describe what, other than water
13 stripping, No. 4 is used for?

14 A Right now, nothing.

15 Q What was it used for in the past?

16 A At one time, way back when I first started, we
17 had a customer that you could recover alcohol in that still.

18 Q Any other products or materials processed in No.
19 4?

20 A No, not during my tour with the company.

21 Q Do you know of in the past? Did you hear
22 about what it was used for in the past?

23 A I can't answer that. I know the alcohol was
24 in it.

25 Q Were No. 1, No. 5 and No. 6 -- they are

1
2 interchangeable?

3 A Yes.

4 Q What products can be processed? Is there any
5 product that cannot be processed in all three of them?

6 A You could -- they are interchangeable, but we
7 have made a decision that we would only process chlorinated
8 hydrocarbons in No. 6 still.

9 Q Any other decision as to a particular still used
10 for a particular material?

11 A No. You know, it depends on the availability
12 of the stills and what the customer material is and how we
13 evaluated it initially in the lab.

14 Q But No. 6 has been designated as the chlorinated
15 hydrocarbon still?

16 A Yes, sir.

17 Q It is not to be used for anything else?

18 A Normally, yes. We have in the past, when we
19 were short for still capacity -- we would put something else
20 in there.

21 Q Anything in particular?

22 A Oh, ketones, things like that, active solvents.

23 Q Why was that decision made, to use No. 6 for a
24 limited, narrow range of materials?

25 A Mainly because of contamination. We wanted to

1
2 dedicate a still to chlorinates, to avoid any cross-
3 contamination.

4 Q How big is No. 6 still?

5 A It's a --

6 Q Capacity.

7 A -- thousand-gallon.

8 Q How old is it?

9 A I don't know. It was there when I started. I
10 have no idea.

11 Q Do you have any idea?

12 A I have no idea.

13 Q Is it old?

14 A I don't think so, no. Old is relative. I
15 don't know. What is old? I don't know.

16 Q Okay.

17 A I think it's been replaced; let's put it that
18 way. It was the same still when I started.

19 Q It was replaced prior to your starting, sometime
20 in the past?

21 A I think so. I would say so.

22 Q What is the capacity of No. 5 still?

23 A 1500 gallons.

24 Q No. 1?

25 A A thousand.

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Q And No. 4?

A It's just a column. You don't have any retention in there. It's not a pot where you hold a certain amount of gallons. It's very little. Maybe it holds a hundred, two hundred gallons, tops, if that much.

Q You mentioned the steam stripping?

A Yes.

Q Water stripping?

A Yes.

Q You mentioned water stripping for No. 4 still?

A Yes.

Q You have been referring to it as No. 4 column?

A Yes.

Q What is water stripping you are referring to?

A You take the distillate water, our processed water. We'll feed it to the column and introduce live steam, and the steam removes the solvent; and the water that's cleaned up is about 99.999 percent pure, and we discharge that.

Q Where do you discharge it?

A We have a permit to discharge it, NPDES permit.

Q Can you draw on the drawing the discharge point, and label it?

A It's around here someplace. I may miss it off

2 D NPDES

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1
2 a few feet, but it's around here (marking document)

3 Q Is that the property line, near there?

4 A Yes.

5 Q What does it discharge into?

6 A There's a dry -- a bed. It eventually goes to
7 the river, Quinnipiac River.

8 Q Is there a ditch there?

9 A There's a ditch.

10 Q Or is it a creek? How would you describe it?

11 A A ditch or dried stream bed.

12 MR. PARISE: We will take a break now.

13 (A recess was taken.)

14 MR. PARISE: Can we go back on the record?

15 BY MR. PARISE:

16 Q We left off discussing the outfall, and you
17 had marked it J.

18 You mentioned a permit. What permit were you
19 referring to?

20 A NPDES permit.

21 Q Is that a state permit?

22 A Yes.

23 Q When was that obtained?

24 A I think it was in '80.

25 Q 1980?

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A Yes.

Q Were you involved in applying for that permit?

A No.

Q Who applied for it?

A Jim Hulm.

Q Did you work on the application at all?

A Assisted a little bit, but he took care of it.

He handled most all of the permit filing and the dealing with the states.

Q In what way did you assist him?

A If he needed particular questions that he thought I could answer, with the process, things like that.

Q What types of questions was he asking you?

A I don't remember.

Q You do not recall?

A No.

Q But you remember he asked you some questions?

A Yes, sure.

Q Could you trace, draw in some way, either a line on this drawing -- is there a pipe that this discharge comes out of, at the location of J?

A Yes, this is a pipe right here, that sticks out about 3 feet.

Q Where does water come from that -- where is the

1
2 water that enters that pipe, or the material that enters
3 that pipe?

4 A We have a storm sewer here. The location may
5 be off a little bit.

6 Q Would you mark that K.

7 A (Marks document)

8 Q Storm sewer?

9 A Another one down here, somewhere around here, I
10 think.

11 Q Mark that L.

12 A (Marks document) That's it. These two right
13 here.

14 Q How is material from those storm sewers trans-
15 ported to -- how does it reach point J?

16 A There's a pipe underneath here. I don't know
17 the exact location, the route, but it's underneath here
18 someplace, down here.

19 Q Would you mark that M, the approximate location
20 of the pipe?

21 A (Marks document)

22 Q Is that underground?

23 A Yes.

24 Q Is there any other channeling of materials to
25 point J?

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A No.

Q In the past, have there been any other sources of materials to point J?

A To my knowledge, no.

Q When was that pipe put in, marked M?

A That's a new pipe. They put a whole new pipe there. I think it was done sometime in either the latter part of '79 or the first part of '80.

Q What existed there before the pipe?

A There was another pipe, but the pipe just rotted away, or some truck went over it and cracked it. Used to be a discharge, I think, down here a way.

Q Could you label that N.

A (Marks document)

Q Is it your testimony that there was a pipe that discharged at point N?

A There was a similar discharge to this. It was relocated, that's all.

Q When did N exist, discharge N exist?

A N was there when I started with the company.

Q At what time did a new pipe be put in?

A As I mentioned before, sometime, I think, in '80.

Q That is where point J is, the outfall from the

1
2 new pipe?

3 A Yes.

4 Q The outfall at point N was from a pipe that
5 came from the same source?

6 A Yes, the same source.

7 Q Which is L and --

8 A K and L.

9 Q -- K and L. No other source?

10 A No.

11 Q What went into K and L, the storm drains?

12 A Oh, runoff from storm water, the overflow from
13 the well, boiler blowdowns, and the cooling tower purge.

14 Q Anything else?

15 A That's it.

16 Q And runoff from where you say?

17 A Rain water. There's a bank here.

18 Q Indicating the --

19 A Right behind the boilers, there's an incline, or
20 bank.

21 Q Would you label that. The next letter is "O."

22 A (Marks document)

23 Q Runoff from where else? Rain water from where
24 else?

25 A Possibly any place in the location, because,

1 you know, you get here, you get it down here.

2 Q Referring to the tank farm?

3 A No, the tank farm is diked.

4 Q Where are you referring to?

5 A Right up, all the way up to that point.

6 Q To the point where the tank farm -- how long
7 as the tank farm been diked?

8 A Ever since I have been with the company.

9 Q Anywhere else where rain water comes from?

10 A Possibly you could get some running this way,
11 but I doubt it.

12 Q Why do you doubt it?

13 A Because I think it's graded such that it flows
14 this way; but I'm not sure.

15 Q Has the grade always been that way since you
16 have been --

17 A We have not ever made any modification to this
18 grade since I have been employed.

19 Q Referring to the process area?

20 A The process area.

21 Q Where does runoff go then, from that area?

22 A Well, it could flow out this way.

23 Q Indicating the direction of -- is it G?

24 A Yes.

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Q Do you know that for a fact?

A No.

Q Is there a ditch on the other side of G?

A Yes.

Q What is that ditch for?

A That ditch is not on our property. It's not
ours. It's been there.

Q Is it used by Solvents Recovery?

A No.

Q Has it ever been used by Solvents Recovery?

A To my knowledge, no.

Q I would like to show you another document. It
is a memo to John P. O'Connell, from Ulisse F. Marini,
dated November 15, 1976.

MR. PARISE: That will be No. 3.

(Copy of memorandum dated November 15,
1976, from Ulisse F. Marini to John P.
O'Connell, consisting of four pages, was marked
Plaintiffs' Deposition Exhibit 3 for identifica-
tion, as of this date.)

BY MR. PARISE:

Q Do you recognize this memo?

A I recognize the fact that it's from me, and I
don't know -- dated November 15, 1976.

1
2 Q Is this your memo? Do you remember writing
3 this memo?

4 A Yes.

5 Q Is this the first memo you wrote working for
6 Solvents --

7 A Yes, sir.

8 Q Did anyone ask you to write this memo?

9 A This was my -- no. No one asked me.

10 Q What was this?

11 A This was my first trip up to Connecticut.

12 Q You were just --

13 A Reporting my trip. It was a trip report;
14 that's what it was.

15 Q Was that a policy, to make trip reports?

16 A No. No.

17 Q Was it part of your job to make trip reports?

18 A No. It was -- no, it was not.

19 Q It was not?

20 A I did it on my own.

21 Q You were not asked to?

22 A No.

23 Q Was this --

24 A I was asked to make any kind of a -- you know,
25 inspect the plant and make any kind of recommendations I

1
2 see.

3 Q Why did you make this trip report?

4 A Because this was part of my job as senior
5 projects engineer.

6 Q There is item No. III, "Replacement of Tank
7 Foundations," on page 1?

8 A Yes.

9 Q Please read that over.

10 Have you finished reading?

11 A Yes.

12 Q Why are you recommending the replacement of one
13 or two bases monthly with saddles on concrete slabs
14 beginning with the wooden foundations?

15 A The old foundations were made of creosol block,
16 and they were corroded away, and the tanks were tilting and
17 they weren't upright properly, and just due to age they
18 needed to be replaced.

19 Q How old were they?

20 A I don't know.

21 Q Do you have any idea?

22 A No idea at all.

23 Q No one ever mentioned?

24 A No.

25 Q You also recommend the tanks on concrete blocks

1 should also be replaced, the next sentence?

2 A There were some tanks that I remember at that
3 time possibly needed -- were dented or were -- dented and
4 needed replacement or repaired, needed to be repaired.
5

6 Q Were these tanks in use at the time?

7 A Yes.

8 Q What were they used for?

9 A Solvent, solvent before processing and solvent
10 after processing.

11 Q You also recommended the area around the tank
12 farm should be cleared and a walkway built to the tank area.
13 Why did you recommend that?

14 A Access to the tanks for repairs. No way could
15 we get up there without having an area to drive a fork
16 lift, cranes, and personnel.

17 Q The tanks were in need of repair?

18 A Some.

19 Q How many?

20 A I don't remember.

21 Q What was wrong with them?

22 A Some of them were dented, pushed in a little
23 bit. Mainly -- the main problem was the tanks were on --
24 the concrete -- the wooden block or the creosote blocks
25 were corroded away, and they were tilted at an angle, and

2A

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1
2 they were just not in a safe condition.

3 Q Did you notice anything leaking?

4 A I feel if I did at that time I would have indi-
5 cated it here.

6 Q But you --

7 A I cannot remember. But, reading my letter, I
8 did not indicate anything was leaking at that time.

9 Q Did you notice any evidence of any leakage of
10 anything in the past in the area?

11 A Well, all I could say is it's not noted in this
12 letter, but leakage and spillage could be possible. It's
13 not an abnormal thing.

14 Q Do you even remember from your own memory of
15 any leakage or any evidence of past leakage?

16 A There was some.

17 Q Where was that located?

18 A In the tank farm.

19 Q Can you be more specific, where in the tank
20 farm?

21 A No.

22 Q What did you see that was evidence of leakage?

23 A Stains, you know. The ground was colored a
24 little differently.

25 Q Under V there is a heading, "Nitrocellulose

1
2 Accounts."

3 Could you read that?

4 Okay. In the sentence that says,

5 "All accounts have given us trouble when

6 dropping stills into drums,"

7 what do you mean by --

8 A Still bottoms. You have to remove the viable
9 material. After removing the recoverable material, left
10 in the still is still bottoms, material that you cannot get
11 any more out of. Drop it into drums.

12 Q It also reads:

13 "Smoking, fire and violent reactions have been
14 experienced."

15 A Yes. The "smoking" is a bad word to use. Vapors
16 are produced and it's in the still. That's it. The
17 fire -- sometimes they have a little cinders coming out of
18 the bottoms, drop into the drum, like char. Ever see
19 like charcoal? Similar to that. No fire.

20 Q Did you see this taking place?

21 A No, I have never.

22 Q You did not see this taking place?

23 A I did not.

24 Q This --

25 A This is information passed on to me.

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Q From whom?

A From the people at the New England plant.

Q Could you name the people that passed this information on?

A Oh, Al Tatro --

Q Anyone else?

A Some of the operators at that time, which they're all gone now. I don't remember their names.

Q Harold Bankert?

A Possibly, yes, because he was there at that time.

Q It also says:

"This was due to lack of information indicating material contained nitrocellulose."

A Yes. Our customer did not inform us that the material contained nitrocellulose. If he did, we can change our operation.

Q You can process nitrocellulose?

A No problem at all. We do it now on a regular basis. No problem.

Q How is that?

A Instead of doing it dry, instead of recovering the material by applying steam on the jacket of the still, we introduce live steam, and it will eliminate all that extra pressure and smoking and so on.

1
2 Q In addition, we check for this in the lab, down
3 in New Jersey.

4 Q The next item is labeled "VII. Reduce Drum
5 Inventory."

6 Could you read that?

7 A Yes.

8 Q You have mentioned in the first sentence:

9 "A revised drum inventory will be submitted
10 week of November 15, 1976."

11 What do you mean by "revised drum inventory?"

12 A Go out and physically count the drums and see
13 how many we have.

14 Q Was there one in existence that was being re-
15 vised?

16 A By reading this, I have to assume there was, or
17 I wouldn't say "revised" on it.

18 Q The next sentence is:

19 "Keep shipping disposable flammable sludge by
20 drums to Linden."

21 "Linden" refers to what?

22 A Linden, New Jersey, plant.

23 Q Of Solvents Recovery?

24 A Yes.

25 Q Why was that done?

1
2 A In order to reduce our inventory, and Linden had
3 a way to blend these drums and dispose of them.

4 Q A way to blend the drums?

5 A Blend them as -- dispose them as a residual
6 fuel.

7 Q How are those shipped?

8 A Trailer, box tractor and trailer.

9 Q In individual drums?

10 A Yes, drums, 70 or 80 drums at a time.

11 Q What was the sludge produced from?

12 A Still bottoms.

13 Q Anything else?

14 A Or residue left in the drums, that we could not
15 pump out.

16 Q Anything else, besides those?

17 A No, that's it.

18 Could be some material brought in for disposal,
19 also, that the customer didn't want recovered, and we use
20 that as a used solvent to blend with our still bottoms.

21 Q Would Solvents Recovery trucks bring these
22 drums to Linden?

23 A Yes.

24 Q Would other trucks bring them?

25 A No.

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Q That would be the New England truck drivers?

A Yes.

Q No. 3 under item VII says:

"Keep disposing of normal sludge drums to
Connecticut landfill."

Which Connecticut landfill?

A I don't -- really don't know. All I know,
Ace came in and took the drums out. I was told it went to
a landfill, but I have no idea --

Q You have no memory?

A No.

Q Who told you that Ace took them and disposed of
them in a landfill?

A The people at the plant. Al Tatro.

Q Al Tatro told you?

A Yes.

Q Anyone else tell you that?

A To my memory, no.

Q Did you ever ask any of the people from Ace?

A No.

Q Why did you recommend "Keep disposing of normal
sludge drums to Connecticut landfill"?

A Part of the program to get the drum inventory
down.

1
2 Q Was the program that you just mentioned initiated
3 before you were employed?

4 A No.

5 Q Were you initiating this program?

6 A Yes.

7 Q As a result of this plant visit?

8 A Yes.

9 Q When you arrived at the plant, was this program
10 in your mind?

11 A Oh, no. I had no idea what it looked like, the
12 plant, the first time.

13 Q How had this inventory accumulated, of drums?

14 A Excuse me?

15 Q How had this inventory of drums and barrels
16 accumulated?

17 A How? I can't answer. It would be a matter of
18 conjecture. I don't know.

19 I could make some assumptions.

20 Q Make an assumption. Tell me what the assump-
21 tion is.

22 A Poor scheduling, allowing too many drums to be
23 on the plant without doing something about it.

24 I can't answer it.

25 Q Scheduling of what?

1B, 2A

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1
2 A Scheduling of the customers, getting the
3 material back to the customer, getting a way of blending
4 the material and disposing of the material, getting where
5 we could blend it as a fuel and remove them, limiting what
6 drums coming in until we get the inventory down. Put a
7 moratorium on -- which I did; put a moratorium on accepting
8 any drums until we got the inventory down.

9 Q At that time, were you blending still waste
10 for use as fuel?

11 A Not in New England.

12 Q Not in New England?

13 A No.

14 Q At the time of this visit, were any of these
15 barrels in the areas you described or any other area of
16 the Southington plant leaking?

17 A I'd have to say yes, I'm sure there were.

18 Q Did you see evidence of past leakage?

19 A I saw some staining, yes.

20 Q Was that in each of the areas?

21 A What do you mean?

22 Q Did you notice evidence of leaking or leaking
23 in each of the areas of drum storage?

24 A Possible.

25 Q How long had that been going on?

20, 2A, 1B

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1
2 A I have no idea.

3 Q What do you mean by "normal sludge drums" in
4 No. 3 under numeral VII?

5 "Keep disposing of normal sludge drums to
6 Connecticut landfill."

7 A If memory serves me, the drums we had
8 normally given to Ace in the past.

9 Q What were those?

10 A I don't -- a lot of them was heavy, nonpumpable
11 material that came out of the bottoms, set up, came out of
12 the still.

13 Q Any other material that went to Ace, besides
14 heavy, nonpumpable material?

15 A To my knowledge, that's the only thing that went
16 to Ace.

17 Q Item No. 6, you say:

18 "Install a 30,000-gallon tank with agitator
19 for storing of alammable sludge."

20 A Yes.

21 Q What would the purpose be of a 30,000-gallon
22 tank with agitator?

23 A This way, we can blend at New England, take the
24 still bottoms, take used solvent, and blend it, which we
25 are presently doing.

Q That process, am I correct, was occurring in New Jersey?

A Yes, sir.

Q At this time?

A Yes, sir.

Q But not New England?

A Once in a while in New England; we put the material in a tank truck, circulated it, and sent it down to New Jersey.

Q Are you speaking of prior to this memo that was done, or subsequent to this memo?

A It might have been done prior to this memo. I can't answer. But it was done after this memo.

Q How often was it done after this memo?

A Maybe in '77 maybe a couple of times a month.

Q The next item, No. VIII, "Polaroid MeCl-IPA." What does that stand for?

A Methylene chloride and isopropyl alcohol.

Q Could you read that.

MR. PARISE: While he is reading, there is an attachment that goes with this memo, that has a one-page drawing, "Southington Tank Farm," then two pages called "Polaroid Flow Sheet" and "Cost Analysis," dealing with Polaroid MeCl-IPA.

(Copy of three pages headed, respectively,
"Southington, Conn. Tank Farm," "Polaroid Flow
Sheet & Material Balance" and "Polaroid MeCl-
IPA" were marked Plaintiffs' Deposition Exhibit
4 for identification, as of this date.)

BY MR. PARISE:

Q Have you read that?

A Yes.

Q Can you also look at the attachment?

A I haven't read this.

Q Look at the attachment.

A This sheet?

Q The three sheets.

MS. PERCELL: Off the record.

(Discussion off the record)

Q Could you just explain to me what No. 1,

"Reduce losses by a minimum of 50 percent -
loss at Southington range from 25 to 35 percent. The
main reasons for these losses are insufficient
cooling and the necessity to need two distillation
steps,"

means.

A The process called for a two-step operation.

The first step, we brought it into 6 still, flashed the

1
2 material over. And what happens? When you flash the
3 material over, we had insufficient cooling capacity and,
4 instead of condensing the methylene chloride, we lost it
5 to the atmosphere, vapors.

6 And then the next step we had to go to the 4
7 column. We ran into similar problems. We had in-
8 sufficient cooling capacity and still capacity in New
9 England to do the job profitably and properly.

10 Q So, by "losses," you mean losses to the air?

11 A Yes.

12 Q Any losses in any other medium, other than the
13 atmosphere?

14 A No.

15 Q In item IX, the first one under "Miscellaneous,"
16 "Outside insulators" -- can you read that?

17 A Okay.

18 Q Why were the outside insulators necessary?

19 A What that is, outside contractors had to insu-
20 late the tanks. We don't do that. We don't have the
21 expertise to do that. Our people cannot handle that job.

22 What we did, we insulated all the tanks to
23 reduce our energy losses due to poor insulation, just like
24 when you insulate a steam line.

25 Q The first page of the attachment, labeled

"Southington, Connecticut, Tank Farm," which is attached to two pages dealing with Polaroid," the --

A Excuse me. What I think happened--the whole thing is supposed to be attached together. This first sheet refers to item No. II that we -- no, item No. III that we spoke about.

Q That is what I was going to ask. It does refer to item III?

A It doesn't refer to Polaroid, no.

Q Who drew this?

A I did. Forgive me, but I did.

Q Is that your handwriting?

A Yes, it is.

Q Next to tank No. 2 there is the lettering "Raffi," R-a-f-f-i?

A Yes. That tank is dedicated to that customer. It's the name of a customer.

Q Is that also true for tanks No. 5, United Finish --

A Yes, Decotone.

Q -- No. 4?

A Foster, yes, Trantex.

Q What was in the Raffi tank? What product? What material?

1
2 A It's a mixed solvent, some acetones, ketones,
3 alcohols, just a mixed wash solvent.

4 Q Anything else you can think of?

5 A No. That is how you define a mixed solvent
6 or wash solvent, just ketones, MEK, acetones, alcohols,
7 things like that.

8 Q Was that clean or dirty?

9 A Oh, "C" means -- "C" is crude. That means
10 dirty. "P" is product. That's clean.

11 Q In United Finish's tank, No. 5, crude, what
12 product? What material?

13 A I'm really guessing. We have folders on all
14 the customers. We can go back and see their product.

15 Generally, they are called mixed solvents, but
16 there are some that are just acetone and some just MEK.
17 I cannot remember all the customers.

18 Q Can you recall Decotone?

19 A No. I think MEK, but that's guess.

20 Q Or Foster?

21 A I think acetone.

22 Q Trantex?

23 A No idea at all.

24 Q The next document is three pages, with a hand-
25 written note on the first page, dated 7/29; then a two-page

1
2 letter, in handwriting, dated 7/23/76, July 23, 1976, to
3 Mr. Joseph Ulevicus. Do you know this name?

4 A No. I don't even know that letter. It didn't
5 sound -- I don't think that's from me. Did I write that?

6 Q No, from MHS.

7 (Copy of handwritten note dated 7/23/76,
8 from Mike to John, and copy of two-page hand-
9 written letter dated 7/23/76, from MHS to
10 Joseph Ulevicus, were marked Plaintiffs'
11 Deposition Exhibit 5 for identification, as of
12 this date.)

13 BY MR. PARISE:

14 Q Would you look that over.

15 A Before I read the letter, I just want to make it
16 clear: This is before my time. I started October '76.
17 This is July.

18 Q Have you seen this before?

19 A No. The first time.

20 Q Do you have any knowledge of what is being
21 discussed in the letter?

22 A I assume they are applying for a permit.

23 Q Meaning Solvents Recovery is applying for a
24 permit?

25 A I'd prefer not to answer this one, because I had

nothing -- I don't know exactly what they were -- who the individuals are. I know who Myron Smith is, but --

Q I will repeat the question:

Do you have any knowledge of what is being discussed here --

A No.

Q -- other than what you read?

A No, nothing at all. The first time I've seen this.

Q Look at the first page.

A Oh, the first page?

Q The first page of the letter, which is the second page of this whole document.

There is a list. Do you see the list there?

A Yes.

Q With percentages of certain materials, mixed thinner, chlorinated solvents. That is being described by MHS, who is who?

A At that time, I think he was the salesman of that area.

Q Is that --

A But presently he's the marketing manager.

Q That is Myron Smith?

A Myron Smith.

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Q What this says is:

"The only exception is we have revised the typical month's solvent thruput as follows."

Then he lists one, two, three, four, five, six, seven -- eight materials, chemicals, and a percentage after each one.

Would you agree with that typical month's solvent throughput percentage?

MS. PERCELL: May I interrupt to ask if it is even legible in the copy? I cannot read the last two at all. I think there are nine, and the last one is completely illegible, and the second one is methyl-something.

THE WITNESS: I know what that one is. The other, I have no idea what it is.

MR. PARISE: The very bottom of the page is cut off on my copy.

MS. PERCELL: I do not have it, either.

BY MR. PARISE:

Q Would you agree with the ones you see on this copy?

A I can't agree as of this time. Are you asking me is this typical to what we have now?

Q No, I am asking you as of the time that you came out, in 1976, when you first visited, the first contact.

1
2 with the Southington plant. Would you agree that this is
3 the typical month's throughput for that time?

4 A Yes, that breakdown, yes, at that time, yes.

5 Only one thing. I do want to make it clear --
6 it's a minor -- it's a moot point, but I have no idea what that
7 last one is.

8 Q I don't, either. I can't read it on my copy.

9 A It may be something that you're going to hang me
10 on later on, but I have no idea what it is.

11 Q The next document is three pages, dated March 14,
12 1977, and it is entitled "Notes on Connecticut Meeting,
13 Review of Drums, March 11, 1977."

14 (Copy of memorandum dated March 14, 1977,
15 from John P. O'Connell, headed "Notes on
16 Connecticut Meeting, Review of Drums," and
17 copy of two typewritten pages of notes, were
18 marked Plaintiffs' Deposition Exhibit 6 for
19 identification, as of this date.)

20 MR. PARISE: Off the record.

21 (Discussion off the record)

22 BY MR. PARISE:

23 Q Would you look it over.

24 Have you reviewed it?

25 A Yes, sir.

1
2 Q Are you copied on this memo?

3 A Yes, I am.

4 Q Do you recognize this memo?

5 A Yes.

6 Q The initials on the top of the page -- do you
7 see initials on the right-hand corner?

8 A Yes.

9 Q JRH?

10 A No, JPOC. That's the one I've got. I've got
11 the one dated March 14, 1977.

12 MS. PERCELL: It is just a different
13 copy of the same one. You pulled it. One
14 was copied to this guy, and one was copied to
15 someone else, and you pulled different copies of
16 the same thing.

17 Q I have the JPOC and I have an-ther, what Marion
18 said.

19 MR. PARISE: Could you show him those
20 other three?

21 MS. PERCELL: Yes. See, what it is,
22 this is just the same, and there's this.

23 MR. PARISE: Can you have that marked,
24 the other one?

25 MS. PERCELL: Do you have other copies,

1
2 so we can hold onto one?

3 MR. PARISE: Yes.

4 (Copy of Plaintiffs' Deposition Exhibit 6
5 for identification bearing the handwritten
6 initials "JRH" at top right-hand corner was
7 marked Plaintiffs' Deposition Exhibit 7 for
8 identification, as of this date.)

9 BY MR. PARISE:

10 Q Take a look at that one.

11 A That one?

12 Q So we now have two documents that are the same,
13 one with JPOC initials on the right-hand corner of the
14 first page, and the other with JRH on the right-hand corner
15 of its first page; and it also has "CJB" on it.

16 Who is JRH?

17 A Jim Hulm.

18 Q Who is CJB?

19 A Jim Bown.

20 Q Is JPOC Mr. O'Connell?

21 A Yes.

22 Q You stated you recall seeing this memo?

23 A Yes.

24 Q Did you write this memo?

25 A I did not.

1
2 Q Whose handwriting is on the second and third
3 pages of the document with JRH's initials on the first page,
4 right-hand corner?

5 A I'm no handwriting expert, but, seeing this
6 letter was sent to Jim Bown, as marked on the front here, I
7 would have to assume it's his handwriting, he made comments
8 on it.

9 It's sure not my handwriting.

10 Q It is not your handwriting?

11 A No, it's not.

12 Q Looking at item No. 1 on the second page --

13 A Does it matter which?

14 Q Look at them both at the same time, or either
15 one. It is up to you.

16 Were you involved in the decision to create
17 these categories of materials?

18 A It was discussed at a production sales meeting
19 to possibly have various categories, categorize the
20 material; but to this date we have not done that.

21 Q The meeting that you have just mentioned is the
22 meeting of March 11, 1977?

23 A Yes.

24 Q You were at that meeting?

25 A Yes, sir.

1
2 Q Were all these other persons that are copied
3 in the list at that meeting?

4 A Yes, sir. Jim Hulm was not. He wasn't even
5 employed in the company.

6 Q But --

7 A But he's not copied here, but he's mentioned on
8 that sheet there.

9 Q Okay. You are referring to the handwritten
10 JRH?

11 A Right.

12 Q The typewritten copies list the people who were
13 at that meeting?

14 A Yes.

15 Q Was anyone else there, besides those people?

16 A No.

17 Q Was Mr. O'Connell there?

18 A Yes.

19 Q In item 2, it lists a number of items, and it
20 says:

21 "The following items owned by SRS will be put
22 into disposal area."

23 What does it mean, "owned by SRS"?

24 A SRS property.

25 Q Meaning --

1
2 A The customer does not want it. We can do
3 anything we want with it. We don't have to return it
4 back to them. It's our property, to do what we want with
5 the material.

6 Q The decision was to put this material in the
7 disposal area?

8 A Yes.

9 The disposal area, in general, could mean actual
10 disposal of it, put it in our fuel program, or could be
11 reclaim it and resell the material. In other words, like
12 methylene chloride.

13 Q Are you saying that disposal could mean reclama-
14 tion?

15 A Yes.

16 It was brought in from the customer for dis-
17 posal. We took it off the customer. It can go one of
18 two ways. We can reclaim it and sell it or dispose of it
19 as is, as a fuel.

20 Q At this time you were not disposing of it as a
21 fuel, is that correct, in 1977?

22 A Most of these things you couldn't, because they
23 were methylene chloride. We don't dispose of it as a fuel.

24 Q You say couldn't or could?

25 A Methylene chloride you could not.

1
2 Q Is this referring to a specific area, location,
3 disposal area?

4 A No. This is going back a few years, but the
5 only thing I can remember, possibly, it might have been some
6 problem areas, problem customer accounts, and we had to make
7 a disposition on them. That's the only thing I think we
8 possibly did.

9 They might have been -- this is all part of our
10 program way back when I told you, to reduce the drum inven-
11 tory; so what we did, we sat down, went through the whole
12 inventory, took out some of the bad apples, we'll say, due
13 to the fact they have been here so long. We have to make a
14 disposition on them.

15 Q On the copy with the handwriting, under item 2,
16 there is a handwritten word, "Action." Do you see that?

17 A Right.

18 Q Underneath "Action" it says "DISP" twice?

19 A Yes.

20 Q What does that refer to?

21 A Disposal. It's the abbreviation we use for
22 disposal.

23 Now, unless Jim -- again, I can't answer for
24 Jim, unless he meant disposition. But I doubt it.

25 "Action, Disposal."

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Q In the list of persons, who is Ledger's?

A It's a customer.

Q A customer that you get materials from for re-processing?

A Yes, reprocessing, or we bring it in for resale.

MS. COLGIN: Can we go off the record?

(Discussion off the record)

BY MR. PARISE:

Q Do you recall where Ledger's methylene chloride was disposed of?

A No, sir. No, sir.

Q Do you recall where any of these materials were disposed of?

A I'd say the methylene chlorides were sold as methylene chloride, processed and sold.

Q What about further down on the list, where it says "Bad Methylene Chloride"?

A I have no idea.

There are accounts will take contaminated methylene chloride.

Q Is the disposal area referred to on the drawing, the site plan of the facility?

A It's just in the drum -- in the drum area, located somewhere in this drum area. We were going to

1
2 segregate an area that was labeled as disposal area, but we
3 never did that.

4 Q Were other areas labeled?

5 A No. There was no areas labeled.

6 Q Were other areas considered to be labeled?

7 A No. There was a rule of thumb where the clean
8 product was up in the front of the plant, in this area
9 here. Stuff that's been reclaimed, ready to go back to
10 the customer, was in this area here. That was the only
11 thing.

12 Q You said that Ledger's was a customer?

13 A Yes.

14 Q By that your memory is that Ledger's had
15 Solvents Recovery reclaim some of its methylene chloride?

16 A We segregate all our accounts under the customer
17 name. That's the only reason why I'm telling you this is
18 a customer list. These are customers, Ledger, Saunders,
19 Barden.

20 Q And Zollo?

21 A Zollo, yes.

22 Q Isn't Zollo a drum?

23 A Yes.

24 Q Was Zollo Drum a customer then?

25 A At that time -- it's listed; I assume it was.

1
2 Q Did you have customers that you did not return
3 materials to, recovered materials?

4 A Yes.

5 Q They were considered customers?

6 A Oh, yes.

7 Q What account would they be put in?

8 A No special -- they would be under the customer
9 name.

10 Q Where would their drums be put?

11 A They were put in SRS-owned property, SRS crude,
12 SRS resale.

13 Q Is that equivalent to the disposal area?

14 A Not -- no. The drums were brought in as
15 disposal. As far as the customer is concerned, it was
16 disposal. We made the disposition whether we're going --
17 it's valuable material, where we can recover the material and
18 sell it as a resale product, or --

19 Q Dispose of it?

20 A -- dispose of it.

21 Q So you were charging customers a price for dis-
22 posal; is that correct?

23 A Yes, sir.

24 Q You were charging customers a price for
25 recovering their waste solvents, other materials?

1
2 A If it's returned to them, yes.

3 Q Did you have customers where your only
4 business relationship with them was to have a disposal ac-
5 count with them?

6 A Yes.

7 Q Are any of those listed on this list, under 2?

8 A Reading the memo, "The following items owned by
9 SRS," that would indicate that a customer paid us to take
10 that material from them as a disposal.

11 Q And it became your property?

12 A Yes.

13 MS. PERCELL: If I can interrupt a moment,
14 I think the question you asked was with regard
15 to customers whose sole relationship with
16 Solvents was disposal. As the question was
17 answered, it seemed to me that he did not say
18 that he knew that; he was simply saying that some
19 of that product was for disposal.

20 Q My question, then, is:

21 You had some customers who had accounts, who
22 used Solvents solely for disposal of their waste products?

23 A Yes.

24 Q And some used them solely for reclamation,
25 recovery?

1
2 A We had some accounts that we picked up as a
3 disposal; okay? The other accounts were accounts that we
4 brought in and reclaimed their material and returned it to
5 them.

6 That's it.

7 Q Was there another category of account?

8 A No. No.

9 Q Were there accounts where the two that you have
10 just described were commingled?

11 A You mean some accounts --

12 Q Do you understand the question?

13 A -- were both disposal and recovery; is that what
14 you are saying?

15 Q Do you understand? That is what I am saying.

16 A I can't answer that questio. It's a sales
17 question. I --

18 Q Let me ask it this way:

19 Were there customers of Solvents Recovery that
20 paid Solvents to recover its chemicals and also paid Sol-
21 vents to dispose of some of its chemicals?

22 A Possible, yes.

23 You've got to remember -- you have to know the
24 operation. If you bring material in to recover, you
25 return the good, clean material. Right? But you still

1
2 have part of the material unrecoverable, the still bottoms.
3 They pay for that disposal of that particular part of the
4 process.

5 Q Also, isn't it true that, if an entire drum was
6 unrecoverable, that was a disposal, and they would be
7 charged for that?

8 A Yes, sir.

9 Q So, to return, "into disposal area" on this
10 memo means that there was planned to be an area in the drum
11 storage area that was going to be devoted solely to a
12 category of disposal?

13 A In name, yes.

14 Q And that disposal meant both disposal into the
15 ground or somewhere?

16 A Into where, now?

17 MR. PARISE: Let me strike that.

18 Q "Disposal" meant recovery of solvents from these
19 drums?

20 A Right.

21 Q Also, some of those drums would be disposed of;
22 is that what that --

23 A Possible, yes.

24 Q Is that what happened with that, rather than
25 "possible"?

1
2 A I can't answer that. I don't know exactly
3 where all those particular accounts were -- the disposition
4 of those particular accounts. We made every effort to
5 recover them.

6 Q Okay. Moving beyond these particular ones
7 listed here, and particular chemicals, were there others --
8 were there any where disposal was the only account --

9 MR. PARISE: Strike that. I will move on
10 to something else.

11 Q Going down the list again, you list Nashua twice,
12 once alcohol, once methylene chloride. Why were there two
13 accounts there?

14 A It's the same customer, but they had different
15 streams.

16 Q Which is that customer?

17 A You just mentioned it.

18 Q Nashua what?

19 A I don't know.

20 Q The same with Vistron; there is one listed for
21 methylene chloride and one down below that says "In Product
22 Area"?

23 A That's not a chemical, "In Product Area."
24 That's where the drums were located. Conceivably, it
25 could have been methylene chloride, but I cannot answer

1
2 that question. I have no idea, no recall of that.

3 Q On No. 3, it says:

4 "By April 1, 1977, a decision will be made on
5 whether or not the Spalding's methylene chloride and
6 Saunders' methylene chloride will either be sold
7 within the next three months or disposed of."

8 What does "disposal" mean here?

9 A Just as it's stated, disposed of.

10 Q It does not mean to be reclaimed and sold?

11 A You know, really, I'm interpreting a letter that
12 someone else wrote. I just read it as it says here: If
13 you can't sell it, we'll dispose of it.

14 Q Where would they be disposed of?

15 A Slowly in the fuel program.

16 Q In 1977?

17 A Down in Jersey.

18 Q Methylene chloride?

19 A In Jersey, yes, but not -- see, what it is --
20 you can just slowly -- well, a drum, two drums at a time.
21 A large amount you can't.

22 Q Where else would they be disposed of or were
23 they disposed of?

24 A To my knowledge, they were disposed in the
25 fuel program.

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Q That is speaking just to item No. 3?

A I'm answering your question, yes.

Q No. 6, it says:

"A decision will be made by April 15, 1977
whether or not to dispose of 250 drums of Columbia
Magnetics."

What was the material from Columbia Magnetics?

A I think it was THF. I'm not totally positive.

Q What is THF?

A I was afraid you were going to ask me that
question. I think tetrahydrofuran. I'm not sure of the
name.

Q Was a decision made by April 15th whether or not
to dispose of those drums?

A I cannot recall that.

Q Was that recycled by the Solvents plant in
Southington, tetrahydrofuran?

A No, that Columbia Magnetics was material that
was eventually shipped down to New Jersey for processing.

MR. PARISE: We can take a break now.

(A recess was taken.)

MR. PARISE: This is a document labeled
"Notes From Meeting - New England, May 9, 1977,
Subject: Sales Review Meeting."

(Copy of document headed "Notes From Meeting - New England, May 9, 1977," consisting of three pages, was marked Plaintiffs' Deposition Exhibit 8 for identification, as of this date.)

BY MR. PARISE:

Q Have you finished looking at it?

A I'll just skim it, that's all.

Q Do you recognize this?

A Yes.

Q Were you copied on it?

A Yes.

Q Do you recall the meeting?

A Vaguely.

Q Item No. 2. It says:

"A report will be issued by Mr. C. J. Brown and Mr. Uly Marini by Monday, May 15th, offering a program to handle disposal drums in New England."

Did you issue this report?

A I cannot recall if I did at all. If I did, you have it in the file.

Q Item No. 5. It says:

"We will not recover benzene-containing materials at our plant in Southington and will not

1 dispose of same."

2 A Right.

3 Q Prior to May 1977, were there benzene-containing
4 materials handled?

5 A I can't answer that. I don't know if there was
6 or not.

7 Q During the period that you first came to work,
8 in 1977?

9 A I can't answer. I do not know.

10 Q Could you tell me a person or persons who would
11 know?

12 A John O'Connell. Al Tatro maybe. Mike Smith.

13 Q Item No. 10:

14 "Mr. Marini will obtain samples of Spaulding and
15 Vistron's methylene chloride for water washing evalu-
16 ation at our Linden laboratory."

17 What is water washing evaluation?

18 A The water washing methylene chloride, one hopes
19 to remove any water-soluble solvents. This will enable us
20 to sell the methylene chloride as a better grade.

21 Q In 11 it says:

22 "No disposal material will be accepted in
23 Southington which cannot be burned, unless approval
24 is obtained from Mr. J. P. O'Connell or Mr. C. J.
25

1
2 Bown."

3 Why was that decision made?

4 A That was a part of our program to reduce the
5 inventory. The first thing we had to do was control the --
6 what was coming in the plant. We wanted to limit the
7 amount coming in the plant. The less you've got coming in,
8 the better chance we have of reducing the inventory; work
9 with what we have on the plant.

10 Q How would materials be excluded on the basis of
11 whether they can be burned?

12 A Take a sample, and you put a match to it. If
13 it will light, then you can burn it.

14 Q Is that all?

15 A At that time, yes.

16 Q Who was instructed to do that test?

17 A The decision would be made prior to the material
18 arriving on the plant. In other words, it wouldn't even
19 come on the plant if they were not burnable.

20 And the way we determine that is a sample is
21 taken by the salespeople from the customer plant, brought
22 into our lab, and checked out.

23 Q Was this decision carried out after May 9, 1977?

24 A Yes. How long, I have no idea.

25 Q What do you mean by "how long"?

1
2 A How long we followed this.

3 Q Has there been a change since then?

4 A Yes. We accept more material. The drum
5 inventory is down. We have outlets for it. We have
6 developed a process to handle the material, and we installed
7 blending facilities.

8 Q So now you will accept material that cannot be
9 burned?

10 A Yes.

11 Q Do you know when that change occurred?

12 A No.

13 Q Did that occur in conjunction with the --

14 A I have no idea.

15 Q The question is did that occur in conjunction
16 with the reduction in inventory.

17 A That occur after we reduced the inventory did
18 you say?

19 Q Yes.

20 A I would say yes.

21 MR. PARISE: The next document is a
22 letter from U. F. Marini to Mr. William Hogan,
23 dated May 2, 1977.

24 (Copy of letter dated May 2, 1977, from
25 U. F. Marini to William Hogan, and attached copy

1
2 of memorandum dated April 22, 1977, were marked
3 Plaintiffs' Deposition Exhibit 9 for
4 identification, as of this date.)

5 THE WITNESS: You have two documents here;
6 you realize that?

7 BY MR. PARISE:

8 Q I have two separate documents?

9 A Yes.

10 MS. PERCELL: They certainly appear to be.

11 MR. PARISE: Okay. I have a letter, and
12 attached to the letter is a memorandum dated
13 April 22, 1977, entitled "Conversation with Mr.
14 Bill Hogan," and it is a memorandum from U. F.
15 Marini. That is attached to the May 2, 1977
16 letter.

17 Q Referring to the April 22, 1977 phone conversa-
18 tion, do you recall that conversation?

19 A I recall it because I've just read this.

20 Q Do you recall writing this memo?

21 A Yes.

22 Q In No. 1 you say that you informed Mr. Hogan
23 that "we will increase dike to cover additional area, and
24 will submit revised drawings."

25 What is the dike you are referring to? What

1
2 are?

3 A You know, there was a drawing. I don't know;
4 if I had that, it would help. But I think it was diked
5 around the process area.

6 Q Was there an existing dike?

7 A No.

8 Q There was not?

9 A No.

10 Q In item No. 5, you relate, Mr. Marini, that you
11 told him:

12 " . . . we have taken great strides in improving
13 our housekeeping and in the process of reducing drum
14 inventory. He felt housekeeping was one of our
15 biggest problems."

16 By the term "housekeeping," what is that re-
17 ferring to?

18 A Appearance, general appearance of the plant.

19 Q What is included in appearance?

20 A Well, possible spills, rags, junk, pipes, pumps
21 that are no good. Just overall appearance. The way the
22 drums were stacked, you know, things like that.

23 Q Anything else?

24 A That's it.

25 Q The condition of the drums?

1
2 A Possibly, yes, at that time, yes.

3 Q Condition of the stills?

4 A No. I doubt that.

5 Q Condition of the storage tanks?

6 A I doubt -- let's put it this way: They were not
7 painted white, as they are now.

8 Q Would the paint make a difference?

9 A Oh, yes. When you walk in, any paint makes a
10 difference.

11 Also, the way that the tanks were, not installed,
12 but the foundation of the -- foundation the tanks were sitting
13 on. I think we went through that already. They were
14 cocked, some of them. Some of them were dented. Yes,
15 possibly the condition of the tanks.

16 Q So, when he is referring to "housekeeping prob-
17 lems," you understood what he meant?

18 A Yes, I did.

19 Q This is your understanding of what housekeeping
20 problems mean?

21 A Yes.

22 Q Included under housekeeping problems, do you
23 include the dike system?

24 A No.

25 Q What would you call that?

1
2 A That?

3 Q Yes.

4 A It wasn't housekeeping. Really, the purpose of
5 a dike is to retain; if a spill occurs, retain the spill,
6 keep it in one area. That's not housekeeping.

7 Q In item 3 it is accounted here that -- this is a
8 quote:

9 "They are receiving outside pressures from the
10 Town of Southington and newspapers,"
11 and then, further quoting, it says:

12 "Town of Southington - hired a consultant engi-
13 neer to study their well fields. A very large well
14 field has been located south of the plant. Pumping
15 at high rates from this well reveals a lead content
16 of .17 milligrams per liter of water (maximum allow-
17 able is .05)."

18 Then:

19 "Newspaper - a reporter from Hartford Courant
20 is writing articles pertaining to 'contamination of
21 wells by solvents.' They are aware of SRS."

22 Is this the first time you had any conversation
23 regarding those matters?

24 A Yes. That was information that was given to me
25 by Bill Hogan.

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Q What was the occasion to have this phone conversation with Mr. Hogan?

A Oh, it was in conjunction with the State of Connecticut's desire to make some changes with us in our plant to improve the housekeeping, eliminate the spills, if any. It's all part of the steps to obtain an operating permit from them.

Q Subsequent to this phone call, did you send a letter to Mr. Hogan containing the revised plans for the diking area?

A No, this -- no. See, before this phone call, prior, I'd say somewhere in February or March, this was handled by another individual. He left the company and I took over.

Q The attached letter of May 2, 1977 transmits a revised drawing for the curbing around the processing area?

A Yes. This was an order, No. 2148, that we were trying to comply with.

Q Was the conversation which you memorialize in the attachment also concerned with this order?

A Yes.

Q The letter is transmitting diagrams that you discussed in your phone conversation?

A What it is, the letter is an answer to item 1

on the phone conversation.

Q In response to being informed by Mr. Hogan of the information in item 3 --

A Yes.

Q -- did you report that information to anyone?

A If recollection serves me right, I would say I did, yes. I at least reported to my immediate supervisor, John O'Connell.

Q Anyone else?

A I'm not sure.

Q Another document, in handwriting, with the top left corner bearing the word "Disposal," underlined, dated 5/77.

(Copy of handwritten document headed "Disposal - 5/77," was marked Plaintiffs' Deposition Exhibit 10 for identification, as of this date.)

BY MR. PARISE:

Q Have you finished reading that?

A Yes.

Q Do you recognize this?

A I don't remember this at all.

Q Is this your handwriting?

A Some of it looks like mine, but some of it

1
2 doesn't.

3 Q Which looks like yours? Can you identify what
4 parts?

5 A I'd say the list of the customers here looks like
6 my handwriting.

7 Q Is that everything underneath the line?

8 A Yes. But some of the numbers underneath the
9 line don't look like mine, either. I don't know whose they
10 are.

11 Q Do you know whose handwriting is above the
12 line? Does that look like yours?

13 A I'd say that looks like mine.

14 Q That is yours.

15 The figures -- my copy probably is not any
16 better than yours -- it looks like seven-three-or eight,
17 zero three or eight, dash, "Drs"?

18 A That's an abbreviation for "drum."

19 Q Is that 7,300-something dollars?

20 A It looks like it. It looks like a dollar sign
21 in the upper left-hand corner.

22 Q This looks like an addition here of money?

23 A Yes, two moneys, yes.

24 Q Underneath the \$7,000 figure there is a 5550,
25 5,550 --

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A Right.

Q -- figure, dash "water"?

A Yes.

Q Then a total of 12,800 or so, 58. Then the writing "sludge"?

A Yes.

Q Then, underneath that, in writing, "7,000 gallon sold to Ace," 7,000 gallons sold to Ace?

A Yes.

Q Do you recall this?

A No, at all. I don't recall this at all. I couldn't even speculate what this means.

Q Who is Ace?

A Ace is the fellow I think I mentioned before, who took our drums from us.

Q Was it a company or a fellow?

A No, it was a company.

Q Do you know who they were, who the persons were that you had contact with?

A I did not make the contact with these individuals. I met them once in a while, maybe a couple of three times. I never made any contacts with them, never made any arrangements with them, or anything like that.

Q Do you know their names?

1
2 A I remember some guy named Joe.
3 Q Anyone else?
4 A That's it.
5 Q How many times did you meet them? A few times?
6 A A few times.
7 Q On what occasions were those?
8 A If I was up on my weekly visit and he came in the
9 plant, said hello to him.
10 Q Any other times than that?
11 A No.
12 Q So the occasion would be a weekly visit or some
13 other time you were visiting the plant?
14 A Yes. It wasn't every week, now, that I met
15 this individual.
16 Q Any time in the evening?
17 A No.
18 Q In the daytime only?
19 A Daytime only.
20 Q Who made the arrangements with these people at
21 Ace?
22 A Al Tatro.
23 Q Anyone else make the arrangements?
24 A I strongly doubt it. Possibly maybe one of the
25 secretaries, but I can't answer that question. I wasn't

1
2 there when the arrangements were made.

3 Q Why do you doubt it? Why do you doubt anyone
4 else?

5 A Because Al is the plant manager. He knew what
6 material had to be moved. He knew what material was
7 available, and so on.

8 There was a possibility other people, too, but,
9 again, I can't answer.

10 Q Mr. Purvis?

11 A Purvis? No. We no longer deal with Ace.

12 Q When did that cease?

13 A Sometime ago. Oh --

14 Q Your note on that last document indicates May
15 1977?

16 A I'd say sometime the end of '77, I would say.
17 John Purvis didn't start with the company until '80.

18 Q When did Al Tatro leave?

19 A May of '80.

20 Q When did, to the best of your knowledge, the
21 last use of Ace occur?

22 A It's all a guess. I don't know. I'd guess
23 sometime in '77, maybe.

24 Q Maybe 1978?

25 A The first part of '78, possible.

1
2 Q Could it be as late as 1979?

3 A I really don't know.

4 Q I will show you two documents that are both
5 dated May 9, 1977 and are entitled "SRS Of New England,"
6 and different headings underneath that. They were provided
7 to me this way, so I don't know what goes with that. It is
8 just one group of seven pages, and all have the date May 9th
9 on them -- well, all except one.

10 (Copy of document headed "SRS Of New
11 England, Material Ready to Sell, May 9, 1977,"
12 and attached copies of six pages, were marked
13 Plaintiffs' Deposition Exhibit 11 for identifi-
14 cation, as of this date.)

15 BY MR. PARISE:

16 Q Would you take a look at that, skim through it?
17 You have looked through it?

18 A Yes.

19 Q What does "straight SRS material" mean on the first
20 page?

21 Oh, let me -- do you recognize this document?

22 A I have this in a different order than you have.
23 I don't know. This document?

24 Q Yes.

25 A I know what the document is.

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Q Have you seen it before?

A Most likely I did.

Q What is it?

A It is -- it's our physical inventory, drum
physican inventory.

Q It is your drum physical inventory?

A Yes.

Q What is the top page of yours?

A (Indicates)

Q One of the pages has the heading "Straight SRS
Material" on it in the middle of the page?

A Yes. This is SRS-owned material.

Q The top heading of the page is "Material For
Credit When Processed." What is the straight SRS material?

A That's SRS-owned material.

Q Owned?

A Owned material.

Q For example, was perchlorethylene purchased from
Environmental Waste? Is that what this means?

A All this means that this is SRS property.
Environmental Waste did not want that material. If we
purchased it or they paid us, I don't know. That is
something you'll have to go back to sales and get. I don't
know.

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Q So the customer, meaning --

A Customer relinquished the ownership of that material.

Q So this list, with respect to customer, Environmental Waste, and those chemicals listed next to it, indicates that --

A It came from that customer, it was that type of material and those number of drums.

Q And the material for credit when processed?

A I'm a little vague on that. I'll give you my interpretation:

It's material that we will process and then will issue a credit back to these people. It won't go back to them, but we'll issue them a credit for the material at whatever price they settle on, negotiated with our sales department.

Q There is a page -- I think it is the next page -- that says "Disposal Inventory"?

A Yes.

Q What does this list of customers indicate?

A This is material brought in for disposal, that we -- a customer paid us to dispose of the material.

Q Where would this material be disposed?

A This particular list right here? The fuel

1
2 program.

3 Q Probably.

4 A Yes, mostly all of it, except the methylene
5 chloride. We would try to recover those.

6 Q Anything else, other than fuel program or the
7 recovery?

8 A If they are nonpumpable, it's a different ball
9 game. If they are pumpable, it goes to the fuel program.
10 If they are nonpumpable, it will have to go to a landfill.

11 Q Who would take that?

12 A At that time, in 1977? It would be Ace.

13 Q Anyone else?

14 A In '77, no, not in '77.

15 Q Anyone prior to Ace?

16 A I can't answer that. I know it was Ace when I
17 was there. If it was somebody else --

18 Q Anyone else, other than Ace, while you were
19 there?

20 A No. After -- now, Ottati was later on. I
21 think he was the end of '77, '78, something like that.

22 Q Was that after Ace or concurrent with Ace?

23 A I think it might have been concurrent.

24 Q Anyone else after Ace and Ottati or at the same
25 time as them?

1
2 A Now. Now we send them to Chemical Waste Manage-
3 ment in Alabama, Envirochem in Indiana, Cecos in Niagara
4 Falls, or Ohio.

5 Q Anyone else, other than what we have mentioned
6 so far?

7 A To my recollection, no. As far as I'm con-
8 cerned, that's where they went.

9 Q Juliano? Does that make --

10 A Juliano? I never heard of the individual.

11 Q New England Barrel Company?

12 A New England Barrel?

13 Q New England Barrel Company.

14 A No. No.

15 There was a New England Container that we get
16 reconditioned drums from.

17 Q Was any material ever taken in tanker trucks
18 from the Southington plant to landfills in New Jersey?

19 A To landfills in New Jersey? As far as I'm
20 concerned, no. In my time, no.

21 Q Pennsylvania?

22 A Landfill? No, not landfills in Pennsylvania.
23 Cement plants in Pennsylvania, but not landfills.

24 Q So, when you refer to landfills here, where
25 were you referring to, when you said taken off to landfills?

A I think I answered that question before. That was Ace.

Q Where was the landfill?

A I have no idea. We did ship drums to Ottati; I think I told you that.

Q Do you have any knowledge of any disposal of materials into landfills around Southington, Connecticut, other than Ace?

A I read in the paper about the insinuations about Bristol landfill.

Q And the town landfill, the present town landfill, of Southington?

A No, just what I've read in the paper.

Q Did you ever hear any mention of Solvents Recovery wastes being historically taken to the old Southington landfill or the Turnpike Road landfill?

A I never heard of that -- what is it, Bank Road?

Q Turnpike Road.

A No, I never heard of that, but I heard one time the Southington landfill. I don't know where it was located. I never was there.

Q Where did you hear that?

A Talking in the plant, itself.

Q With whom?

1
2 A Al Tatro, maybe some of the operators. I don't
3 remember which ones.

4 Q Do you remember any other talk of other disposal
5 areas?

6 A None.

7 MS. PERCELL: I did not understand what
8 you said. I'm sorry if I interrupt you, but I
9 did not understand your answer about what it
10 was you heard with regard to this Southington
11 landfill. Could you just clarify your answer?

12 THE WITNESS: I heard that Ace did take
13 some drums to a landfill in Southington. That's
14 all I heard.

15 BY MR. PARISE:

16 Q Ace did take some drums to Southington landfill?

17 A That's all I heard.

18 MR. PARISE: Off the record.

19 (Discussion off the record)

20 MR. PARISE: We have not finished, and
21 this will be continued at a later date.

22 (Time noted: 6:02 o'clock p.m.)

23
24 oOo

I N D E XWITNESSNAMEPAGE

Ulisse F. Marini

4

EXHIBITSPLAINTIFFS' DEPOSITION
FOR IDENTIFICATIONPAGE

1

Copy of document headed "Gallon
Distilled - Southington,
Connecticut," consisting of 33
pages

21

2

Copy of diagram of Southington
plant

34

3

Copy of memorandum dated Novem-
ber 15, 1976, from Ulisse F.
Marini to John P. O'Connell,
consisting of four pages

66

4

Copy of three pages headed, "re-
spectively, "Southington, Conn.
Tank Farm," "Polaroid Flow Sheet
& Material Balance" and "Pola-
roid MeCl-IPA"

80

5

Copy of handwritten note dated
7/23/76, from Mike to John, and
copy of two-page handwritten
letter dated 7/23/76, from MHS
to Joseph Ulevicus

84

INDEX OF EXHIBITS (CONT'D)PLAINTIFFS' DEPOSITION
FOR IDENTIFICATIONPAGE

~~6~~ Copy of memorandum dated March 14, 1977, from John P. O'Connell, headed "Notes on Connecticut Meeting, Review of Drums," bearing the handwritten initials "JPCC" at top right-hand corner, and copy of two typewritten pages of notes

87

~~7~~ Copy of Plaintiffs' Deposition Exhibit 6 for identification, bearing the handwritten initials "JRH" at top right-hand corner

89

~~8~~ Copy of document headed "Notes From Meeting - New England, May 9, 1977," consisting of three pages

103

~~9~~ Copy of letter dated May 2, 1977, from U. F. Marini to William Hogan, and attached copy of memorandum dated April 22, 1977

106

~~10~~ Copy of handwritten document headed "Disposal - 5/77"

112

~~11~~ Copy of document headed "SRS of New England, Material Ready to Sell, May 9, 1977," and attached copies of six pages

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